

REMARKS

This Amendment, filed in reply to the Office Action dated June 4, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-18 and 45-50 are all the claims pending in the application.

As an initial matter, Applicant respectfully submits that the finality of the rejection is premature. The Response dated May 13, 2008 did not include any amendments and thus the application only included prior pending subject matter. However, in the current Office Action, the Examiner sets forth a new rejection under 35 U.S.C. § 112 and a new rejection under 35 U.S.C. § 103 over newly cited art, Kim. The Examiner could have previously made these rejections but failed to do so. Therefore, to issue the current rejection on a final basis is prejudicial to Applicant. Therefore, we would request that the claim amendments set forth herein be entered as a matter of course.

I. Claim Rejections under 35 U.S.C. § 112

Claims 5, 8, 14 and 17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claims 8 and 17, these claims are amended to correct an item of antecedence. The Examiner states that claims 8 and 17 do not describe the functionality of the first to Nth order ranks and thus fail to distinctly claim the invention. Applicant respectfully submits that the functionality of the respective first to Nth order ranks need not be set forth in the claim in order to satisfy the general requirements for precision and clarity required by Section 112. The Examiner's requirement is tantamount to requiring claiming of preferred embodiments,

which is not a requirement of Section 112. See MPEP 2173.02. By referring to the claims and specification, one skilled in the art would understand the scope of the pending claims. For example, Figs. 12-14 and their corresponding text at pages 40-50 describe the nature of the ranked order communications. Thus, one skilled in the art would understand the metes and bounds of claims 8 and 17. Therefore, Applicant requests that the Section 112 rejection be withdrawn.

With regard to claims 5 and 14, Applicant hereinabove amends the claims.

II. Claim Rejections under 35 U.S.C. § 103

Claims 1-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Burgess (U.S. Patent No. 5,695,859) in view of newly cited Kim et al. (U.S. Publication No. 2001/0033267). Applicant respectfully traverses the rejection as follows.

In the prior art, including Burgess, individual conductive wires are used to connect a plurality of elements. These elements are required to be placed in predetermined positions at which individual conductive wires are formed. These problems are disclosed in [0005] of the specification.

Furthermore, the communication network or the circuit board has the terminals or the elements linked or connected physically via individual cables or conductive wires. This would cause signals not to be conveyed in a case of a break in the cable or the wire, possibly leading to a failure in the communications capability.

The present invention of claim 1 defines as follows: a first communication element is operative to control a voltage between the first conductive layer and the second conductive layer, letting the second communication element to acknowledge a change in the voltage propagated around the first communication element as a signal, the second communication element is operative to monitor the signal from the first communication element and acknowledge the

change in the voltage between the first conductive layer and the second conductive layer as the signal, the second communication element is assigned an ID and the signal includes an ID identifying a recipient communication element. Therefore, the recipient communication element can determine whether a signal is destined to the element by referring to the ID included in the signal.

According to the above structures of claim 1 a plurality of communication elements can be placed without individual conductive wires. In addition to the text discussed above, this aspect is shown by the pending drawings. This feature is not disclosed in the cited documents.

The Examiner cites Kim to teach the inclusion of an ID in the signal. However, because Kim relates to a notebook computer with a transmission/communication function, Kim fails to make up for the above deficiencies of Burgess. In particular, Kim also does not teach communications elements communicating with each other, without individual conductive wires, as claimed.

Applicant submits that the remaining claims are patentable based on their dependency.

Claims 45-50 are added to describe the invention more particularly.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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